

frantic tribute to the comfort and stability of the bourgeoisie. All through their history Marcel and Rodolphe aspire to regular meals, to a home, to durable amours, to everything else which constitutes the middle-class ideal. Sometimes one of them gets hold of a little money; he spends it immediately on rich food, on silks for his temporary spouse, or on a lackey; in other words, to realize ambitions which he shares with the grocers and landlords whom he so despises. There follow months of privation, from which the nostalgic perfume of truffles and Burgundy and stuffed turkeys is disengaged; all the more poignant because it seeps from behind other people's windows.

Late on Christmas eve Marcel was walking with Rodolphe toward their meagrely furnished room. "Look at those fish," he said, pointing to some broiled trout in a delicatessen window. "They are the most skilful swimmers of the aquatic race. . . . Just think; they can climb a steep mountain stream as easily as we would accept an invitation to dinner. . . . Once I almost ate one."

To-day Marcel can easily eat trout. He is proprietor of a Bohemian restaurant.

MALCOLM COWLEY.

### THE ORIGIN OF THE STATE: I.

CURRENT conceptions of the State involve a number of features which are by no means of equal significance. According to probably all writers, the State is a *territorial* unit assembling under a common government all the population inhabiting a definite area. Moreover, it is customary to assign to the State a certain pretentiousness in contra-distinction to such lesser local units as, say, the village. A distinct view was introduced by Franz Oppenheimer when he defined the State in terms of caste,<sup>1</sup> tracing the origin of both to the subjugation and economic exploitation of one group, the subject caste, by another, the overlords. Finally, one may mention that notion of absolute sovereignty (*suprema potestas*) which figures so prominently in the writings of modern political science: a relative supremacy, Professor Ph. Zorn of Bonn explained in 1913, may be exercised by other units of organization, such as the Church or the commune, but absolute sovereignty, complete independence of anything else under the sun, is the exclusive and essential badge of the State.

It may be readily conceded that a complete theory of the State can not ignore any one of these supposed criteria. Such a theory would surely have to explain by what processes the inconspicuous separatistic communities which we must perforce postulate for the earliest periods of social life, developed into large and powerful kingdoms; it must trace the evolution of inequalities in rank and political privilege; it must certainly take into account the history of "sovereignty." Nevertheless, it does not follow that these characteristics are of uniform importance when the State is viewed in anthropological perspective.

Perhaps the element of size can be most readily eliminated from the essentials of statehood. It is impossible to set any but the most arbitrary bounds to the stage at which a local organization would cease to merit the appellation of State; and the universal acceptance of the ancient Greek cities in that category makes it difficult to exclude any territorial unit on the mere basis of smallness. In other words, the problem of the large local unit is not coextensive with the problem of the State, but presents it in a special aspect. Moreover, this specific problem is a relatively simple one. There can be little doubt that in the bringing of extensive areas under a common rule, conquest has been by far the most impressive agency. Cases are on record of tribes which united in peaceful fashion, but the resulting leagues are generally of ex-

treme brittleness, or at least fail, as among the Blackfoot of Montana, to weld the total population into a well-knit political body. Even the famous Iroquois confederacy, it should be noted, had a narrowly circumscribed scope of activity.

On the other hand, many instances might be cited to show how the progressive conquest, by one group or tribe, of neighbouring groups has led to an ever-widening dominion. Thus, the Hawaiian Islands were originally split up among a number of petty principalities, who were one by one subjected by Kamehameha I. Before 1800 the Zulus of South-east Africa were a Bantu tribe of rather lesser than greater importance among the natives of that area; but through the military sagacity and unscrupulous cunning of Chaka, a dozen other groups came under the sway of this "Napoleon of South Africa," as he was grandiloquently called in the writings of his day. Finally, the well-integrated kingdom of the Incas, stretching from Ecuador to northern Chile, probably represents the high-water mark in skilful organization among unlettered peoples; and it appears that this realm, too, was founded upon gradually extended conquests of divergent populations.

Like the large territorial unit, the concept of sovereignty represents, anthropologically speaking, merely a part of the total phenomenon. To deny to the former Chinese Empire, with its complex structure and a stability of institutions defying the centuries, the title of State, seems the dreariest sort of logic-chopping. Yet after reading what Giles, Smith, Williams and Courant have written and, above all, after hearing what Dr. Berthold Laufer has had to say on the subject, I am firmly convinced that sovereignty in the strict sense was a notion alien to Imperial China. This conclusion rests not merely on the well-known centrifugal tendencies of the Middle Kingdom, where in large measure each viceroy or governor assumed the status of an independent potentate. More important, because touching more directly the vital realities of the case, are the Chinese fondness for cooperative enterprise and the popular attitude towards taxation. When, in the absence of a competent constabulary force, the villagers of a district organized for the protection of their crops against nocturnal marauders, they were evidently exercising a governmental function independently of the State. Moreover, a considerable part of the law regulating, say, commercial life, was established and administered by private associations, by the merchant-guilds; and this independence of the central authority was carried to an extreme when a community or guild repudiated as unjust an attempt to impose new taxation. There is the classic case of the pork-butchers who simply would not put up with a new tax, suspended business, and retired to their guild-hall until the Government came to terms, revoked the offensive decree and publicly apologized to the citizens for its actions. Instances of this sort seem to have been not exceptional but fairly typical, and eliminate *ipso facto* the essence of sovereignty.

If any further proof is required, we need merely turn to the history of Western and Central Europe, that one small corner of the globe in which the principle of sovereignty has achieved a genuine triumph, to find how recent is its assertion even there. To take one department of governmental life that has recently been sketched by Sir Paul Vinogradov, the administration of justice remained for a very long time in a curious relation to the central authority. In the earliest period there were no judges, only go-betweens with

<sup>1</sup>"The State." Franz Oppenheimer. Translated by John M. Gitterman. An edition with a new introduction by the author is now in preparation.

purely advisory functions. This was followed by compulsory arbitration, yet the State made no effort to make the umpire's decree effective. There was, in other words, self-help, and even at a later stage the Government went no further than to outlaw the litigant who refused to bow to the arbiter's judgment. Even under Charlemagne, positive execution of a decree by the State was confined to specific instances. How the notion of sovereignty gained ascendancy is thus a subject for the specialist in mediæval and modern European history, and represents only an infinitesimal portion of the broad anthropological problem of the State.

It is otherwise with the problem of hereditary inequality. To be sure, castes are not universal, and for the earliest social periods we can reasonably postulate only those inequalities due to *individual* differences, which are no less pronounced among the rudest democratic tribes than among ourselves. That is to say, in a primeval group the elders, as in Australia, or the physically strongest, as among the Chipewyan Indians, may have been dominant or at least extremely influential; but from such superiority no individual would be debarred by the mere fact of belonging to such and such a family. Nevertheless, hereditary castes, closed in varying degree to the outsider, are far from rare among fairly simple populations, and nothing is clearer to-day than the fallacy of Lewis H. Morgan's contention that all primitive peoples are basically democratic. Even in North America, where a majority of the aborigines really exemplify a democratic outlook on life, notable departures from the norm have been definitely established. The Natchez of the lower Mississippi divided the common people from the nobility, which in turn embraced three grades. The Pacific Coast Indians, also, are rigidly divided into nobility, common people, and slaves. Outside of the New World, we find a marked aristocratic trend throughout Polynesia; and though the African Negroes are, in contrast with other peoples, characterized by a proclivity for monarchical despotism, the Dark Continent probably furnishes the most instructive instance of caste-organization. In short, while not found everywhere, closed hereditary classes are sufficiently common to constitute an exceedingly important special problem for the comparative ethnologist.

It is here that Oppenheimer's theory, partly buttressed by these very data from Africa, demands attention; and I will say at once that when all reservations are made it accounts admirably for a large portion of the field; that it is borne out even more clearly by the thoroughgoing researches of recent years than by the summary statements in Ratzel's "History of Mankind," from which Oppenheimer was obliged to draw his information. Certainly East Africa affords illustrations not only of the origin of caste through the subordination of one group to another, as well as the ensuing economic bondage of the vanquished, but even of the various degrees of relationship that Oppenheimer supposed to develop from the merging of distinct populations.

Broadly stated, the fundamental fact is the overrunning of the Bantu peasants' territory by a tall, pastoral people of partly Caucasian descent, who are generally allied with the purely Caucasian Hamites of North Africa. The Hamites, as they may be called for the sake of convenience, have become a dominant aristocracy, while the Bantu have been degraded to the status of commoners or serfs. But of this general theme numerous variations may be noted. The least intimate connexion, which exemplifies the stage ante-

cedent to a genuine caste-institution in Oppenheimer's scheme, appears in the relations of the Masai to their Bantu neighbours. These were properly independent of the Masai but were subject to constant pillage and massacre by hordes of marauding Masai herdsmen. An amusing justification of these raids has been reported. God, it seems, gave to the Masai all the cattle in the world; if the wicked Bantu would only peaceably surrender their cows and oxen on demand, there would be no trouble; but as they stubbornly decline to do so, their spoliation becomes a quasi-religious duty. Incidentally, attention may be called to two other relations maintained by the Masai which conform more closely to a full-fledged than to an embryonic caste-system. On the one hand, there is the indispensable yet despised guild of blacksmiths, which some authors derive from a distinct people. They live in separate settlements and are prohibited from intermarrying with the Masai; they are tolerated as a necessary evil and enjoy no civic rights whatsoever. Secondly, there is a group of hunters roaming over the Masai territory who are likewise a lower class and are used as spies. In other words, the Masai illustrate at least two conditions incident to the contrast of peoples; periodic expropriation and murder of theoretically independent units being exemplified in their treatment of the Bantu, while their relations with the blacksmiths and hunters represent the somewhat closer union of a tribe with dependent pariah groups occupying the same area.

Finally we may consider the somewhat more complicated conditions discovered in Ruanda by G. A. Graf von Götzen (1894) and more recently studied with greater care by Professor Czakanowski of the University of Lvov.<sup>1</sup> In Ruanda (as well as in the adjoining State of Urundi), there are not two but three groups, differing racially as well as in occupation. The latest comers are undoubtedly the pastoral Tussi or Tutsi, Hamites in economic activity and physique, though Bantuized in speech. These herders will not deign to take up husbandry save in exceptional cases of impoverishment. Of a total population of a million and a half, the Tussi represent less than a tenth, yet they are the absolute overlords of the Hutu peasants. A remarkable difference in stature marks off the nobility of herders from the cultivating plebeians. The Hutu happen to be of moderate height and stocky build, while the Tussi are extravagantly tall and slender, often attaining or exceeding a height of six feet, six inches. Somewhat shorter than the Hutu peasants are the Twa (Batwa) hunters, who were at one time erroneously described as pygmies, but in reality seem merely to have suffered some diminution of stature through intercourse with the dwarfish tribes of the Congolese forests. The interrelations, psychological and otherwise, of these three groups are very suggestive.

The Twa must undoubtedly be regarded as the true aborigines and were originally all hunters. They still regard the forest as their proper domain and accordingly plunder intruding Hutu, who tamely submit to their exactions. Yet the Hutu are gradually forcing them farther back by sheer force of numbers as their primitive system of cultivation demands ever new clearings. The Twa hunters, in spite of their relative independence of the Hutu, acknowledge certain peasant chiefs as their superiors and use them as go-betweens in rendering tribute to the Tussi king. Their relations to the Tussi aristocracy are curious.

<sup>1</sup> *Forschungen im Nil-Kongo Zwischengebiet. Erster Band: Ethnographie; Zwischenengebiet: Mpotoro, Ruanda.* Jan Czakanowski. Leipzig. 1917.

While the fastidious herders despise the Twa for eating poultry and eggs, they maintain friendly relations with them in order the better to keep under subjection the more numerous Hutu. When a Tussi kills sheep in sacrifice, he allows the Twa to gorge themselves with mutton. Even certain offices of honour are allotted to the despised race. It is they who carry the king on his travels through the realm, and chant in royal processions; nay, the executioner, part of the king's body-guard, and the police force are, oddly enough, recruited from this most diminutive population of the country. Yet there are unpassable barriers to their social advancement: no Hutu, let alone Tussi, would marry a Twa, and neither would contract the blood-brotherhood with a member of the pariah caste.

Altogether different is the status of the Hutu tillers. In the central province of Ruanda they are certainly a subject people, who must meekly submit to the demands of the Hamitic nobles. A herdsman will not eat with a peasant because the latter does not disdain mutton or the flesh of goats, both of which are taboo to the Tussi. Yet Hutu and Tussi may become blood-brothers, and the social lines are not drawn with absolute rigour. Even some of the lesser court-dignitaries are taken from the ranks of prominent Hutu, and an impoverished herdsman will not scruple to marry a peasant woman. Moreover, a secret religious cult is open to both herders and peasants.

The question naturally arises, how does a small fraction of the total population of Ruanda succeed in keeping the remainder in check? The answer is to be found in the solidarity of the Tussi and the skill with which they have turned political conditions to their advantage. They found the Bantu Hutu broken up into numerous independent territorial clan-units, each led by an hereditary headman with little political power. These petty tribelets were constantly warring with one another, and from this turbulence the conquerors profited. Furthermore, they modified indigenous institutions by establishing the headman as a royal official charged with the duties of a tax-gatherer. In this way a simple *primus inter pares* was elevated to the position of a great chief, whose personal interest lay in his loyalty to the conquerors. Restive clans were broken up and the members were settled under other chiefs, who recognized the Tussi king as their feudal lord. A group of the Hutu was organized into a privileged class of land-owning warriors free from forced labour, while the bulk of the peasantry tilled the king's domain and worked for their immediate chief two or three days a week. A competent police force kept strict surveillance over the whole area, spying both on the great chiefs and on foreign visitors.

In this way Ruanda came to be a far better integrated political unit than most of the other interlacustrine countries, and illustrates with great lucidity the origin of a State segmented into distinct social strata as the result of the contact of distinct groups. That somewhat analogous developments have occurred in the western Sudan appears likely from the observations of Leo Frobenius and various French officials, while in other continents the presence of a slave-caste is almost invariably due to capture in war. In so far, then, Oppenheimer's scheme is seen to rest on a solid body of ethnographic facts.

If it be asked in what way the theory requires modification, the principal point to be made is that it is properly not a theory of the State but a theory of caste. It explains the origin of hereditary classes, but it does not solve the more fundamental problem of all political organization. To be concrete, the Hutu of Ruanda

were not devoid of some form of government before the inroads of the Tussi reduced them to a state of vassalage, and the same is true of the Tussi before their elevation to the status of a pastoral nobility. Conquest led to complication and integration, but the germs of statehood antedated these processes. Thus, the conception current throughout the pastoral nobility of interlacustrine Africa, that the ruler is owner of all the cattle with the prerogative of bestowing upon his followers tenure-rights over the herds, is manifestly an old Hamitic notion presenting a novel variation of the feudal idea.

It can not, moreover, be safely inferred that caste-differences can spring exclusively from the subjugation of an alien group. To mention but one alternative possibility, the law of primogeniture inevitably degrades a majority of persons of noble descent to a lower rank, as shown in Tonga and in Vancouver Island. Finally, the motive for the maintenance of caste-differences need not be sought entirely in economic exploitation; as already noted, ideological factors, such as religious taboos, are likely to play their part. But when all allowances are made, Oppenheimer's theory still supplies beyond doubt the most satisfactory answer to the special problem of caste.

ROBERT H. LOWIE.

(To be concluded.)

#### THE ADJUSTABLE JEW.

SUCH extremists as the Harvard authorities and Mr. Henry Ford have combined (unconsciously, one is inclined to believe) to aggravate in this country the old and highly complicated Jewish problem. Anti-Semitism is again furnishing texts and symposia for grateful editors; race-consciousness is once more a "burning issue," fanned by those professional Zionists whose *métier* is martyrdom; all the peculiarly Jewish vices (an ascending scale from sharp dealing in private to loud speaking in public) are being freshly exposed in fraternity houses and country clubs. We await, with ironic confidence, the news that seventeen Gentile children have been sacrificed upon our sanguine Passover tables. Unless the automobile business should fall into the clutches of the mythical "monopoly of Jewish bankers," nothing would surprise us less than an enthusiastic series of pogroms, beginning in Detroit and supported vigorously via articles in the *Dearborn Independent*, by Mr. G. K. Chesterton.

But while we Jews suffer from our avowed antagonists, we are embarrassed—and actually hurt—far more by our tolerant interpreters. No series of explanations has ever been written, and this paper is probably no exception, that has not been a hodge-podge of general misstatements and special pleading, of distorted facts and still more distorted inferences, of patronage and partisanship, of—to continue the tempting alliteration—prejudice, polemic and platitude. Mr. Hilaire Belloc, the latest of our friendly analysts, has written a book that is a candid proof of the foregoing statements. It is called succinctly "The Jews," and is as crammed with contradictory generalities, half truths and absurd suggestions as a President's message to Congress. Time and again, Mr. Belloc proves for us that we are an unassimilable race, that we refuse to adjust ourselves to cultures other than our own. "The Italians assimilated the Lombards; the Greek the Slav; the Dacian has absorbed even the Mongol; but the Jew has remained intact." We can not change our spots, that is plain. Yet we are informed that Spain, by the mere mechanical process of religious conversion, has allowed so much intermarriage that, at one

remarked that "where there is no religion, there can be no State," he was simply repeating with a different purpose a formula that had been published some years before by Bakunin, the philosopher of materialism and anarchism. The only question was, Would the materialists stop with disestablishment, or would they go farther and employ the temporal power for the suppression of the Church, as the autocracy had employed this power, presumably, for its support?

In other words, it remained to be seen whether the materialists had sufficient faith in the quality of their philosophy to leave it without material support, and to come to an understanding with the most thorough-going mystics, on a basis of freedom in religion. Recent developments in Russia give evidence, I think, of a rapid approach to such an understanding. Most of the men in power in the State take pride in their irreligious temper. They have carried through a complete disestablishment and a partial disendowment of the Church. Although they have permitted the restoration of the self-governing patriarchate, they are now in conflict with the Patriarch himself, not apparently on any issue of religion, but because the head of the Church has made objection to the confiscation of ecclesiastical treasure for the benefit of the famine-fund.

In some quarters, the institution of proceedings against the Patriarch is regarded as an attack upon religion, but apparently this view is not held by all the faithful in Russia. According to information supplied by Mr. Arthur Ransome, in a recent issue of the *Manchester Guardian Weekly*, many of the clergy believe that the loss of property, following as it does upon the separation from the temporal power, will not work injury to religion, but may actually prepare the way for a great spiritual revival. A strong party within the Church is apparently just as much opposed to the general counter-revolutionary policy of the Patriarch Tikhon as it would be to any attempt on the part of the Government to interfere with religion as such. In compliance with the demands of a deputation of priests, the Patriarch has now summoned a General Council for the reform of the Church, and has abdicated his office pending the decision of this assembly.

All this is, in my opinion, excellent news; and I say this in the belief that no earnest friend or honest enemy of religion need dissent from it. In the realm of ideas, in the realm of religion and irreligion, of mysticism and materialism, the *summum bonum* is a fair field and no favour, with neither support nor suppression by material force. In Russia, there are apparently certain mystics who are sufficiently earnest in spirit to ask no more than this, and certain materialists who are honest enough in mind to grant no less.

GEROID TANQUARY ROBINSON.

#### THE ORIGIN OF THE STATE: II.

INTERESTING and important as is the origin of closed castes, it is only the consideration of territorial organization that brings us to the consideration of the problem in its most generalized form. But here we are brought face to face with one of the most inveterate dogmas of sociology and comparative law. In 1861, Sir Henry Sumner Maine drew a distinction between two kinds of ties uniting individuals for political purposes—the blood-tie and the territorial tie. This distinction itself is significant and unexceptionable; but Maine combined it with a theory concerning the chronological sequence of the two principles that is by no means equally acceptable. In early society, he contended, men acted together exclusively

on the ground of blood-kinship, and only by a catastrophic change did local contiguity come to be recognized as the basis of common political action. This view was adopted and more definitely formulated by Lewis H. Morgan in his "Ancient Society," and through this work gained extraordinary currency. According to Morgan, the principle of local contiguity superseded the division into groups of kindred as the result of deliberate legislation in ancient Attica, culminating in Cleisthenes' enactments, by which every citizen was registered, taxed and given a vote as a member not of a clan but of a township, that is, of a territorial unit.

An *a priori* objection to this theory straightway suggests itself. By what instrumentality did the revolution come about? Why, after millenniums of political life based on the bond of consanguinity, did the need arise for a totally different alignment of individuals? If the cataclysmic change were a recorded datum of history, we should, of course, have to accept it, however incomprehensible might be its psychological interpretation; but with our present sophistication in matters of history, we shall certainly exact the most rigorous proof before submitting to so violent a jar to our sense of continuity.

It must in fairness be admitted that men of Maine's historical acumen and Morgan's conscientiousness did not suck their conception of primeval government out of their thumbs. There is much in the social arrangements of the simpler peoples to support the view that the blood-tie is the dominant principle of organization. The error lies in overlooking the simultaneous existence of other principles.

Let us examine a case that upon first consideration seems to be an ideal exemplification of Maine's theory. In northern Luzon, Philippine Islands, Mr. R. F. Barton has studied a tribe known as the Ifugao, who are reported to be wholly devoid of the territorial bond. The population inhabiting the Ifugao area is represented as acting in complete independence of any considerations but those of kinship. It is described as split up into groups of kinsfolk standing to one another in the relationship of so many sovereign States. To his kindred the individual owes support against all other groups in proportion to the nearness of his relationship, and he is said to be free from such obligation to the rest of the community. When a dispute arises between distinct groups of kin the services of a go-between are used, but he is entirely lacking in authority; in other words, he does not function as the agent of some central Government uniting all the people of a given locality. If one were to take Mr. Barton's own statement of the situation at its face value, one would have to admit that here at least is a people whose whole political life has its basis in consanguinity alone.

However, the most competent observers of fact often fail to draw accurate conclusions from their own observations. A scrutiny of Mr. Barton's ample material shows that while the blood-bond is of predominant importance in the life of the individual Ifugao, the local tie, however subordinate, is by no means absent. There is, first of all, throughout Ifugao territory a substantial agreement concerning customary law: though there is no constabulary to aid in the execution of the go-between's verdict, the principles on which his decision is rendered, however warped in application to particular cases, are generally accepted. In short, the Ifugao definitely recognizes some obligation to members of the same community who are not of his own

kin. There is, for instance, a fundamental difference in the treatment of thieves according to their local affiliations: the marauding outsider is almost certain to be killed forthwith, while theft by a fellow-villager is penalized merely by the traditional fine. Again, collective responsibility applies not solely to the group of blood-relatives, but in some measure also to the other people of the same community: an unsatisfied creditor is likely to appropriate on occasion not only the buffalo of his tardy debtor's kin but also those of other persons living in the debtor's village. So far from every man regarding his duties as confined to the circle of consanguinity, there is an implicit understanding that internecine strife is to be discounted, lest the territorial group be unduly weakened in comparison with like groups; and there is a further tacit agreement that every Ifugao shall behave so as not to entangle his neighbours in hostilities. The apparently exclusive potency of blood-relationship is thus seen to be perceptibly limited by the recognition of local contiguity as a basis for political action and sentiment.

I offer this analysis of Ifugao jurisprudence as a *a fortiori* evidence against the traditional theory of Maine and Morgan. In many other societies no such elaborate sifting of detail is required to drive home the same point. When the Sioux police beat a man who selfishly jeopardized the success of a tribal hunt, and destroyed his tent, they were manifestly acting in the common interest of a local group. So were the Australian elders who dispatched an organized party to avenge the death of a tribesman victimized by sorcery. Similar examples may easily be culled from the literature concerning other areas. In short, ethnography establishes not the priority of the blood-tie as compared with the local tie but the coexistence of both principles even in the ruder societies. The most that can safely be asserted is that under more primitive institutions, consanguinity tends to outweigh the territorial bond.

The bearing of the foregoing considerations on the theory of the State is obvious. Sociologists and comparative jurists need no longer be troubled by the insoluble puzzle of how the basis of blood-relationship in the formation of political groups could be transmuted into something utterly different. The relation of the two principles in question is one not of sequence but of coexistence; it is merely the degree of relative emphasis that has suffered alteration. From the earliest times of which we can form a clear picture, men have united on both a tribal and a territorial basis.

Maine's and Morgan's formulation of the modes of social organization among different peoples suffered from one cardinal defect that was not exposed with adequate documentation until the appearance, in 1902, of Heinrich Schurtz's "Altersklassen und Männerbünde." Whereas Maine and Morgan assumed that every social unit must be made up of people allied either by blood or by local contiguity, Schurtz proved conclusively that individuals very frequently grouped themselves together without the slightest regard either to consanguinity or to *explicitly* local ties, and that these bodies may exert an influence by no means less powerful than that of the family or clan, or regional group.

As for the psychological basis of these "associations," as they have conveniently been called by both French and English writers, Schurtz advanced some untenable special hypotheses, together with perfectly legitimate conceptions. He certainly erred in assuming that women were by their innate character incapable of

founding or joining associations except in quite subordinate fashion, and that all associations may be traced back to a basic sexual difference; the masculine tendency to unite in sociable groups being opposed to the feminine disposition to hug the fire-place. The fact is that in both Africa and America, women either participate in the associational activities of men or form important religious and occupational organizations of their own. They could hardly be expected to form constabulary or military societies; and if the number of woman's associations is distinctly less than man's the reason should be sought in the nature of her employment, which rarely demands organization.

Schurtz was further mistaken in the part he assigned to the factor of age as a dynamic force in creating associations, though here it must be admitted that he merely overemphasized a valid conception. It is not true, as he supposed, that secret societies, religious organizations, clubs, and all other associations whatsoever had their ultimate origin in groups of age-mates. But it is true that the tendency of individuals to group themselves according to age is deep-rooted and may crop up at any period and in any society. This is simply because personal congeniality and community of interests, which Schurtz recognized as motive forces, naturally operate with special power among coevals.

But what bearing have associations, which by definition are not founded upon local contiguity, on the development of a territorial unit, the State? The point is that while they are indeed ostensibly devoid of territorial implications, they are not so in fact. Among the Omaha Indians of Nebraska men having supernatural revelations from the same source, say from buffalo, form a religious fraternity. In the mind of the novice who joins such a society, and from the standpoint of older members as well, the solitary fact that entitles him to membership is a vision of a definite form. Yet what really happens at his reception into the fold is that he enters upon peculiarly intimate relations with a group of individuals who are not related to him by blood but who are inhabitants of the same locality. There is here a condition from which the assemblage of the entire population into a single body may readily emerge. Not infrequently the associations of primitive peoples do not remain in mutual independence. Among the Hopi of Arizona, for example, the Snake ritual is performed by the Snake and the Flute fraternity. In many plains-tribes the male population was grouped into a number of military clubs, distinct and sometimes even divided by rivalry, yet in a sense forming a single segmented body.

This tendency to unite among unrelated as well as related inhabitants of the same locality may attain its high-water mark through a peculiar turn in the associational development. Among the Hupa of north-western California, all the men of the village formed a single group because they lived in a common dormitory while each woman occupied her separate establishment. In Melanesia the segregation of the sexes went so far that the men not only slept apart but ate in a clubhouse tabooed to women. The Melanesians are also subdivided into family-groups and clans, but the social importance of these units is limited by the very existence of an institution that unites all the males of a settlement irrespective of their blood-ties; and when this union is consummated there comes into existence a definitely territorial unit, the parallel of our modern State.

If we now compare the society of the Ifugao with that of the Plains Indians or the Melanesians, the place to be assigned to associations in the history of the State

becomes clear. Associations do not create the local bond, for that is present, though very much subordinated, even in so extreme a case as that of the Ifugao. But associations invariably weaken the prepotency of blood-ties by establishing novel ties regardless of kinship; and they may indirectly establish a positive union of all the occupants of a given area. They are thus one of the greatest agencies for strengthening the principle of local contiguity.

The problem of the State can not be solved; it can only be reformulated so as to suggest new problems. The formulation here presented makes no pretence of eliminating all difficulties, but is presented merely in the hope of defining those difficulties in their proper relation to the general problem. We are far from understanding the exact course taken by the governmental institutions of different peoples. We are by no means certain to what extent the contact of distinct groups, for instance, has operated in creating distinctions in rank. The influence of associations, too, represents anything but a uniform phenomenon, and accordingly opens up a host of specific inquiries. But for a person content with a bird's-eye glimpse of the historical process, the problem may be said to be solved in principle, for he can form some conception of how the minute egalitarian primeval community, with its strong emphasis upon consanguinity, could have developed into the gigantic modern State, with its general recognition of caste-differences and its basis in territorial proximity. A sham enigma, at least, has been eliminated. One need no longer puzzle over the Hegelian metamorphosis of "social organization" on a consanguineal basis into "political organization" on a territorial basis, since both have coexisted since very early times. The local factor may have been subordinate, but its presence can no longer be disputed. What we know as political organization in Morgan's sense is due not to a spontaneous generation but to evolution from a germ that has always been present.

ROBERT H. LOWIE.

#### THE AUTOBIOGRAPHY OF S. A. TOLSTOY. XI

IN 1895, Leo Nikolaievitch wrote a letter in which, as a request to his heirs, he expressed the desire that the copyright in his works should be made public property, and in which he entrusted the examination of his MSS. after his death to Nikolai Nikolaievitch Strakhov, to Chertkov and to me. The letter was in the keeping of my daughter Masha and was destroyed, and in its place, in September, 1909, a will was made at Chertkov's house in Krekshino not far from Moscow, where Leo Nikolaievitch and several other persons were staying at the time. The will turned out to have been drawn incorrectly and to be invalid, a fact which the "friends" soon found out.

Our journey home from Krekshino through Moscow was terrible. One of the intimates had informed the press that on such and such a day at a certain hour Tolstoy would be at the Kursk Station. Several thousand people came there to see us off. At moments it seemed to me, as I walked arm in arm with my husband and limped on my bad leg, that I should choke, fall down, and die. In spite of the fresh, autumnal air, we were enveloped in a hot thick atmosphere.

This had a very serious effect upon Leo Nikolaievitch's health. Just after the train had passed Shchokino station he began to talk deliriously and lost all consciousness of his surroundings. A few minutes after our arrival at home he had a prolonged fainting-fit and this was followed by a second. Luckily there was a doctor in the house. After this I suffered more and more from a painful nervous excitement; day and night I watched my hus-

band to see when he would go for a ride or a walk by himself, and I awaited his return anxiously, for I was afraid that he might have another fainting-fit, or fall down somewhere where it would be difficult to find him.

Owing to these agitations and to the difficult and responsible work connected with L. N. Tolstoy's publications, I continually grew more nervous and worried, and my health broke down completely. I lost my mental balance, and, owing to this, I had a bad effect upon my husband. At the same time Leo Nikolaievitch began continually to threaten to leave the house and his "intimate" friend (Chertkov) carefully prepared, together with the lawyer M., a new and correct will which was copied by Leo Nikolaievitch himself on the stump of a tree in the forest on 23 July, 1910.

This was the will which was proved after his death.

In his diary he wrote at the time, among other things: "I very clearly see my mistake; I ought to have called together all my heirs and told them my intention; I ought not to have kept it secret. I wrote this to —, but he was very much annoyed."

On 5 August he wrote of me: "It is painful, the constant secrecy and fear for her . . ." On 10 August he wrote: "It is good to feel oneself guilty, as I do . . ." And again: "My relations with all of them are difficult: I can not help desiring death . . ."

Clearly the pressure brought to bear upon him tormented him. One of his friends, P. I. B—v, was of the opinion that no secret should be made of the will, and he told Leo Nikolaievitch so. At first he agreed with the opinion of this true friend, but the latter went away and Leo Nikolaievitch submitted to another influence, though at times he was obviously oppressed by it. I was powerless to save him from that influence, and for Leo Nikolaievitch and myself there began a terrible period of painful struggle which made me still more ill. The sufferings of my hot and harassed heart clouded my reasoning-powers, while Leo Nikolaievitch's friends worked continually, deliberately, subtly, upon the mind of an old man whose memory and powers were growing feeble. They created around him who was dear to me an atmosphere of conspiracy, of letters received secretly, letters and articles sent back after they had been read, mysterious meetings in forests for the performance of acts essentially disgusting to Leo Nikolaievitch; after their performance he could no longer look me or my sons straight in the face, for he had never before concealed anything from us; it was the first secret in our life and it was intolerable to him. When I guessed it and asked whether a will was not being made and why it was concealed from me, I was answered by a No or by silence. I believed that it was not a will. It meant, therefore, that there was some other secret of which I knew nothing, and I was in despair with the perpetual feeling that my husband was being deliberately turned against me and that a terrible and fatal ending was in store for us. Leo Nikolaievitch's threats to leave the house became more and more frequent, and this threat added to my torment and increased my nervousness and ill-health.

I shall not describe in detail Leo Nikolaievitch's departure. So much has been written and will be written about it, but no one will know the real cause. Let his biographers try to discover it.

When I read in the letter which Leo Nikolaievitch sent me through our daughter Alexandra that he had gone away finally and for ever, I felt and clearly understood that without him—and especially after all that had happened—life would be utterly impossible, and instantly I made up my mind to put an end to all my sufferings by throwing myself into the pond in which some time before a girl and her little brother had been drowned. But I was rescued, and when Leo Nikolaievitch was told of it he wept bitterly, as his sister, Marie Nikolaevna, wrote to me, but he could not persuade himself to return.

After Leo Nikolaievitch's going away an article appeared in the newspapers expressing the joy of one of his most "intimate" friends at the event.